

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

MARTHA ADAMS spouse and)
personal representative for the ESTATE)
OF CHARLES ADAMS, deceased,)
ET AL.,)

Plaintiffs)

v.)

No. 2:07-CV-01064-WKW-TFM

ALBANY INTERNATIONAL; ET AL.,)

Defendants.)

DEFENDANT NATIONAL SERVICE INDUSTRIES, INC.'S MOTION TO DISMISS,
OR, IN THE ALTERNATIVE, MOTION TO SEVER AND FOR MORE DEFINITE
STATEMENT

Comes the defendant, National Service , (“NSI”), and respectfully moves this Court to dismiss this action pursuant to Rule 12(b)(6) for failure to state a claim upon which relief may be granted. In the alternative, NSI moves for an Order severing the claims of the plaintiffs and for an Order requiring plaintiffs to provide a more definite statement for their claims. As grounds for this motion, defendant NSI expressly incorporates by reference as if set forth herein the factual and legal arguments contained in the Memorandum in Support contemporaneously filed with this Court.

WHEREFORE, for reasons more particularly set forth in the Memorandum in Support filed herewith, defendant National Service Industries, Inc. respectfully moves this Court to dismiss this case or grant other relief sought herein that this Court finds is appropriate.

Respectfully submitted this the 15th day of February, 2008.

By: s/ Anthony C. Harlow
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CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2008, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

/s/ Anthony C. Harlow
Anthony C. Harlow – Bar Number: ASB-5692-
W474